

A REGULAR MEETING OF THE CITY COUNCIL

OCTOBER 22, 2024

A Regular Meeting of the City Council of the City of Ogallala, Nebraska, was held at City Hall Council Chambers in said City on the 22nd day of October 2024, at 7:00 o'clock P.M. Present were: President of the Council: Steven Krajewski; Council Members: Kevin Block, Dustin Holstein, Chris Laflan and Darryl Weddington. Absent: None. City Manager: Kevin Wilkins. City Clerk: Jane Skinner. City Attorney: Michael McQuillan.

Notice of the meeting was given in advance thereof by publishing one time in the Keith County News and posting at the City Hall Administration Building as shown by the Certificate of Publication and Posting Notice attached to these Minutes. Notice of this meeting was simultaneously given to the President and to all members of the Council on October 18, 2024 and a copy of their Acknowledgement of Receipt of Notice and the Agenda is attached to these minutes. Availability of the agenda was communicated in the notice and in the Notice to the President and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. The President of the Council stated this meeting is being convened in accordance with the Open Meetings Act and acknowledged a copy of the Open Meetings Act being duly posted in the southeast Corner of Council Chambers.

Council Member Block moved to approve the consent agenda. Council Member Holstein seconded the motion. The following council members voted Yes: Kevin Block, Dustin Holstein, Steven Krajewski, Chris Laflan and Darryl Weddington. No: None. Absent: None. Motion declared carried and the consent agenda was approved as follows:

- A. Claims.
- B. Minutes of the Regular Meeting held October 8, 2024.
- C. Application for a Gas Fitter's License:
 - 1) Allen Siple
- D. License and Permit Bond - Allen V. Siple Jr.
- E. OVFD - Resignation of Wynn Wiens.
- F. OVFD - Resignation of Nick Lemmel.
- G. Comprehensive Plan Update - University of Nebraska-Lincoln - Service Agreement No. 166270.

The claims were approved as follows:

General Fund:

Ne Dept Of Rev-624.77-Salestx; Pinn Bank-69,996.61-Lease; Ne Dept Of Rev-7,335.19-Sit; 125 Plan-10.00-Ins; Eftps-24,943.75-Fit; Hartford Life-1,586.29-Ins; Hosp&Med-27,949.00-Ins; Icma-1,710.56-Pen; John Hancock-15,854.45-Pen; Ne Child Support-544.63-P/R; Fnbo-4,803.55-Hsa; 125 Plan-10.00-Pretx; Eftps-24,142.01-Fit; Hosp&Med-27,949.00-Ins; Icma-1,710.56-Pen; Kc Court-667.63-P/R; John Hancock-15,825.88-Pen; Ne Child Support-544.63-P/R; Fnbo-4,803.55-Hsa; One Billing Solutions-7,782.89-Se; Gen Fund-3,000.00-Su; Sandhills Bank-62,740.11-Su; Pump & Pantry-6,222.88-Su; Ndot-1,130.83-Contract; Water Dept-17,511.00-Su; Pinn Bank-25.00-Se; Tyler Tech-(610.00)-Reverse; Jurgens Elec-14,995.00-Se; Wrg-2,080.37-Se; Mc Schaff-31,239.00-Se; Infinity Construct-245,678.95-Su; Acp Intl-12,317.00-Su; Airgas-1,088.82-Su; Allo-1,204.20-Su; Shelly Anderson-150.00-Su; Napa-594.90-Su; John Arensdorf-134.99-Su; Arnold Pool-929.00-Su; Aurora Coop-817.99-Su; Daniel Beauchamp-150.00-Su; Black Hills Energy-2,626.77-Su; Bound Tree Med-3,011.35-Su; Mike Bruckner-1,263.48-P/R; Candy Aerotech-1,100.00-Contract; Chruchich Recreation-1,158.86-Su; Cornhusker Glass-78.93-Su; Correll Refrig-2,711.50-Su; Culligan-52.50-Su; John Deere Financials-372.71-Su; Fox Ins-40.00-Ins; Dawn Haney-700.00-Se; Humphreys-736.23-Su; Ideal Linen-405.12-Su/Se; Waste Conn-1,882.10-Se; Kcad-86,700.00-Se; Kc Hosp Auth-21,229.46-Salestx; Kc Historical Soc-1,200.00-Contract; Kc News-758.64-Se; Kc Sen Citizens-85.50-Su; Kc

Treasurer-14,696.31-Se; Kenfield Elect-7,402.45-Su; Kents Towing-600.00-Se; League Of Ne Muni-19,812.00-Dues; Larm-201,477.12-Ins; Leslie's Swimming-3,599.91-Su; Lloyd Logsdon-49.24-Su; Master's Transport-45.81-Su; Mead Lumber-23.00-Su; Mid Am Research-360.96-Su; Nmc Exchange-776.75-Su; Printworks-10.00-Su; Nppd-14,855.39-Su; O'reilly-24.24-Su; Office Service-856.81-Su; Chamber Of Comm-100.00-Refund; Water Dept-500.00-Su; Ace Hardware-80.01-Su; Olsson-96,095.04-Se; Paulsen-410.60-Su; Poppe's Diesel-918.35-Su; R&D Welding-47.50-Su; Reams Sprinkler-520.62-Su; S&E Rolloffs-1,800.00-Su; Scotties Potties-1,440.00-Su; Second Chapter Brewing-100.00-Refund; Serenity Motors-562.00-Se; Amgl-235.00-Se; Ne Dept Of Admin-99.00-Se; Steve's Body-250.00-Se; Teaford, Jo-150.00-Su; Jane Terrell-150.00-Su; Us Bank-4,607.44-Su; Us Postal Service-114.00-Su; Winter Equip-1,063.68-Su; Wolf Landscape-645.00-Su; Wolf Auto-99.38-Su; Wolf Chrysler-163.60-Su; Ymca Of Scottsbluff-56,250.00-Se;

Water Dept:

Pump & Pantry-13.71-Su; Water Dept-71.29-Su; Ne Dept Of Rev-8,749.98-Salestx; Adams Bank-25.00-Se; Infinity Construct-52,032.00-Su; Allo-134.59-Su; Am Ag Lab-587.80-Se; Aurora Coop-814.61-Su; Black Hills Energy-144.03-Su; Bomgaar's-8.69-Su; Correll Refrig-5,483.00-Su; John Deere Financials-8.79-Su; Gen Fund-45,207.51-Su/Se; Ideal Linen-118.50-Su/Se; Waste Conn-230.25-Se; Kc Reg Of Deeds-10.00-Se; Larm-43,715.79-Ins; Midwest Elec-4,945.73-Su; Nppd-5,916.53-Su; Ace Hardware-51.33-Su; One Call Concepts-90.55-Se; R&D Welding-308.14-Su; Safety-Kleen-298.93-Su; Ne Health Lab-1,038.00-Se; Usa Bluebook-1,868.96-Su; Us Bank-2,998.78-Su; Jamie Ruth-46.98-Refund;

Sewer Dept:

Water Dept-120.00-Su; Adams Bank-25.00-Se; Allo-32.18-Su; Aquatic Informatics-2,300.00-Se; Black Hills Energy-1,374.10-Su; Brody Chemical-424.99-Su; California Boiler-2,418.26-Su; Dustin Starkey Enterprise-300.00-Su; Electric Pump-2,797.75-Su; E-Logic-150.00-Se; John Deere Financials-198.96-Su; Gen Fund-31,818.58-Su/Se; Hach Co-88.28-Su; Hoa Solutions-437.50-Su; Ideal Linen-73.36-Su/Se; Waste Conn-220.25-Se; Kc News-111.87-Se; League Of Ne Muni-1,609.00-Dues; Larm-49,476.47-Ins; Midwest Labs-27.50-Su; Nppd-4,224.35-Su; Ace Hardware-378.42-Su; Scotties Potties-3,505.60-Su; Us Bank-151.91-Su;

Medical/Benefit:

City Of Og-340.00-Su; Wellness Partners-7,350.00-Se; Caskey, Kendra-92.00-Se; Joy Manning-46.00-Se; Us Bank-27.13-Su; Rci-53,117.60-Ins; Rci-52,802.65-Ins; Rci-7,747.16-Ins;

Council President Krajewski opened a hearing regarding a request to change zoning from A-1 Agricultural to C-4 Interstate Highway Business District for a tract of land located in parts of the NW 1/4, SE 1/4 and the SW 1/4 all located in Section 7, T.13 N., R.38 W. of the 6th P.M., Keith County, Nebraska, being more particularly described as follows: Beginning at the SW corner of Section 7, T.13 N., R.38 W. of the 6th P.M., Keith County, Nebraska; thence N 01°18'17" E on the west line of the SW 1/4 of said Section, 2647.31 feet to the W 1/4 corner of said Section; thence N 01°16'48" E on the west line of the NW 1/4 of said Section, 609.73 feet to a point on the southerly boundary line of Interstate #80 Right-of-Way, also being the beginning of a non-tangent 17038.73 foot radius curve concave southerly; thence northeasterly on the arc a distance of 1499.34 feet (chord bearing N 87°28'04" E with a chord length of 1498.85 feet) to the NE corner of Lot 1, Plunkett Original Addition; thence S 00°58'06" W on the east line of said Lot 1, 916.90 feet to the north line of Pony Express Lane; thence S 00°57'03" W on the west line of said Pony Express Lane, 100.10 feet to the NW corner of Lot 1 of Great Western Properties Subdivision No. 1; thence S 89°02'13" E on the north line of Lots 1 and 2, of Great Western Properties Subdivision No. 1, 818.34 feet to the NE corner of said Lot 2; thence S 01°05'44" W on the east line of said Lot 2, 502.03 feet to the SE corner of said Lot 2; thence S 89°01'36" E on the south line of Lot 6 and Libmax Lane, 586.42 feet to a point on the west line of Lot 2 of Pont Express Replat; thence S 01°06'04" W on the west line of said Pony Express Replat, 1829.52 feet to a point on the south line of the SE 1/4 of said Section; thence N 88°54'17" W on said south line, 286.45 feet to the S 1/4 corner of said Section; thence N 89°02'15" W on the south line of the SW 1/4 of said Section, 2627.90 feet to the Point of Beginning, EXCEPT: Lot 1 of

Plunkett Original Addition and Lots 1 & 2, Great Western Properties Subdivision No. 1, containing 171.5 acres, more or less at 7:03 P.M.

Brandon Scott, Planning and Zoning Administrator, addressed the Council regarding the public hearing.

Council President Krajewski and City Attorney Mike McQuillan addressed the attendees regarding the rules of conduct during the public hearing.

Council President Krajewski proceeded to invite proponents of the zone change from A-1 Agriculture to C-4 Interstate Highway Business District to address the Council with their comments. The following individuals addressed the Council in favor of the zone change: Arden Krugerud, Sharon Hasselhoff, Lane Anderson, Ken Schilz, Randy Fair, Kevin Klockman, Jim Schleicher, Kerri Anderson, Lori Wortman-Keith County Visitors Committee and Jeremy Smith.

Council President Krajewski proceeded to invite opponents of the zone change from A-1 Agriculture to C-4 Interstate Highway Business District to address the Council with their comments. The following individuals addressed the Council opposed to the zone change: Matt Waitley, Pastor Rodney Mooney, Jason Veith, Melissa Veith, Wheeler Walz, James Parrish, Austyn DuPeire, Zac White, Siri Reed, Matt DuPeire, Dr. Katherine Dobbs, Ramona Upright, Shayna Swaney, Bill Redinger, Martin Fleming, Don Larreau, Matthew Lake, Mike Jones and Danika Dizmang.

Mary Wilson, Keith County Area Development Executive Director, addressed the Council in favor of the zone change.

Council President Krajewski closed a hearing regarding a request to change zoning from A-1 Agricultural to C-4 Interstate Highway Business District for a tract of land located in parts of the NW 1/4, SE 1/4 and the SW 1/4 all located in Section 7, T.13 N., R.38 W. of the 6th P.M., Keith County, Nebraska, being more particularly described as follows: Beginning at the SW corner of Section 7, T.13 N., R.38 W. of the 6th P.M., Keith County, Nebraska; thence N 01°18'17" E on the west line of the SW 1/4 of said Section, 2647.31 feet to the W 1/4 corner of said Section; thence N 01°16'48" E on the west line of the NW 1/4 of said Section, 609.73 feet to a point on the southerly boundary line of Interstate #80 Right-of-Way, also being the beginning of a non-tangent 17038.73 foot radius curve concave southerly; thence northeasterly on the arc a distance of 1499.34 feet (chord bearing N 87°28'04" E with a chord length of 1498.85 feet) to the NE corner of Lot 1, Plunkett Original Addition; thence S 00°58'06" W on the east line of said Lot 1, 916.90 feet to the north line of Pony Express Lane; thence S 00°57'03" W on the west line of said Pony Express Lane, 100.10 feet to the NW corner of Lot 1 of Great Western Properties Subdivision No. 1; thence S 89°02'13" E on the north line of Lots 1 and 2, of Great Western Properties Subdivision No. 1, 818.34 feet to the NE corner of said Lot 2; thence S 01°05'44" W on the east line of said Lot 2, 502.03 feet to the SE corner of said Lot 2; thence S 89°01'36" E on the south line of Lot 6 and Libmax Lane, 586.42 feet to a point on the west line of Lot 2 of Pont Express Replat; thence S 01°06'04" W on the west line of said Pony Express Replat, 1829.52 feet to a point on the south line of the SE 1/4 of said Section; thence N 88°54'17" W on said south line, 286.45 feet to the S 1/4 corner of said Section; thence N 89°02'15" W on the south line of the SW 1/4 of said Section, 2627.90 feet to the Point of Beginning, EXCEPT: Lot 1 of Plunkett Original Addition and Lots 1 & 2, Great Western Properties Subdivision No. 1, containing 171.5 acres, more or less at 9:07 P.M.

Council President Krajewski recognized Wade Davis for five years of service to the City of Ogallala as a Police Officer.

Council Member Block introduced Ordinance 1440, entitled: An ordinance rezoning the following described real estate: A tract of land located in in parts of the NW 1/4, SE 1/4 and the SW 1/4 all located in Section 7, T.13 N., R.38 W. of the 6th P.M., Keith County, Nebraska, being more particularly described as follows: Beginning at the SW corner of

Section 7, T.13 N., R.38 W. of the 6th P.M., Keith County, Nebraska; thence N 01°18'17" E on the west line of the SW 1/4 of said Section, 2647.31 feet to the W 1/4 corner of said Section; thence N 01°16'48" E on the west line of the NW 1/4 of said Section, 609.73 feet to a point on the southerly boundary line of Interstate #80 Right-of-Way, also being the beginning of a non-tangent 17038.73 foot radius curve concave southerly; thence northeasterly on the arc a distance of 1499.34 feet (chord bearing N 87°28'04" E with a chord length of 1498.85 feet) to the NE corner of Lot 1, Plunkett Original Addition; thence S 00°58'06" W on the east line of said Lot 1, 916.90 feet to the north line of Pony Express Lane; thence S 00°57'03" W on the west line of said Pony Express Lane, 100.10 feet to the NW corner of Lot 1 of Great Western Properties Subdivision No. 1; thence S 89°02'13" E on the north line of Lots 1 and 2, of Great Western Properties Subdivision No. 1, 818.34 feet to the NE corner of said Lot 2; thence S 01°05'44" W on the east line of said Lot 2, 502.03 feet to the SE corner of said Lot 2; thence S 89°01'36" E on the south line of Lot 6 and Libmax Lane, 586.42 feet to a point on the west line of Lot 2 of Pont Express Replat; thence S 01°06'04" W on the west line of said Pony Express Replat, 1829.52 feet to a point on the south line of the SE 1/4 of said Section; thence N 88°54'17" W on said south line, 286.45 feet to the S 1/4 corner of said Section; thence N 89°02'15" W on the south line of the SW 1/4 of said Section, 2627.90 feet to the Point of Beginning, EXCEPT: Lot 1 of Plunkett Original Addition and Lots 1 & 2, Great Western Properties Subdivision No. 1, containing 171.5 acres, more or less and moved that the statutory rule requiring the reading on three different days be suspended. Council Member Laflan seconded the motion. Upon roll call vote, the following Council Members voted "Yes": Kevin Block, Dustin Holstein, Steven Krajewski, and Chris Laflan. The following Council Members voted "No": Darryl Weddington. Absent: None. Motion declared carried and the Statutory Rule was declared suspended for the consideration of this Ordinance.

Council Members Laflan, Holstein, Weddington, Block and Council President Krajewski commented on the request to change zoning from A-1 Agriculture to C-4 Interstate Highway Business.

Ordinance No. 1440 was read by title and, thereafter, Council Member Laflan moved for the final passage of the Ordinance. Council Member Holstein seconded the motion. The Council President then stated the question: "Shall Ordinance No. 1440 be passed and adopted?" Upon roll call vote, the following Council Members voted "Yes": Kevin Block, Dustin Holstein, Steven Krajewski and Chris Laflan. The following Council Members voted "No": Darryl Weddington. Absent: None. The passage and adoption of said Ordinance having been concurred in by a majority of all members of the Council, the Council President declared the Ordinance adopted and the President of the Council signed and approved the Ordinance and the Clerk attested to the passage and approval of the same and affixed her signature thereto, a copy of said Ordinance No. 1440 being attached hereto and, by this express reference, incorporated herein and made a part hereof.

Council President Krajewski called a recess of the Council at 9:37 P.M.

Council President Krajewski announced the Council was out of recess at 9:44 P.M.

Council Member Laflan moved to approve the bid from VanKirk Bros Contracting for the Ogallala Sewer Improvements 2024-1 in the amount of \$584,926.25 and authorize the Council President to sign the agreement. Council Member Block seconded the motion. The following council members voted Yes: Kevin Block, Dustin Holstein, Steven Krajewski, Chris Laflan and Darryl Weddington. No: None. Absent: None. Motion declared carried.

Council Member Laflan introduced resolution 2248. A resolution authorizing the signing of the Municipal Annual Certificate of Program Compliance 2024. Council President Krajewski read the resolution by title and Council Member Weddington seconded the motion. Upon roll call vote, the following council members voted "Yes": Kevin Block, Dustin Holstein, Steve Krajewski, Chris Laflan and Darryl Weddington. The following

